HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 5128 of 2005

Dated: 17th October, 2005

Between:

M.K.Saradhi Chakravarthi S/o.M.Kannan,

R/o.D.No.301, III Floor, Megana Apartments, Balaji Colony,

Tirupathi, Chittoor District.

..... PETITIONER

AND

1.Joint Sub-Registrar-I, Registrar's Office, Tirupathi,

Chittoor District and another.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 5128 of 2005

ORDER:

This writ petition has been filed by M.K.Saradhi Chakravarthi with a prayer to issue a writ of Mandamus or any other appropriate writ or direction declaring the letter dated 09.03.2005 issued by the Joint Sub-Registrar-I, Registrar's Office, Tirupati-1st respondent in refusing to register the document presented by the petitioner as illegal, arbitrary and contrary to the provisions of the Registration Act.

2. Heard learned counsel appearing for the petitioner and learned Government

Pleader for Revenue appearing for the 1st respondent.

3. Learned counsel appearing for the petitioner submits that the petitioner presented a document for registration and the same has not been received by the 1st respondent. Whereas, learned Government Pleader for Stamps and Registration appearing for the 1st respondent submits that no document has been submitted by the petitioner for registration and therefore, the writ petition is not maintainable.

4. Letter dated 09.03.2005 addressed to the petitioner by the Joint Sub-Registrar-1, Registrar's Office, Tirupathi-1st respondent reads as follows:

> "Sub: Registration of document in S.No.242B, Tirupati
>
> Village – Regarding.
>
> Ref: Your representation dated 4.3.2005.
>
> -x-
>
> With reference to your representation cited, I am to inform that the Administrative Officer, Sri Swamy Hathiramji Mutt, Tirupati through his Letter Roc.No.B4/1399/2003, date: 27.11.2004 sent a list of Hathiramjee Mutt lands. In the list it was shown that the S.No.242B consisting of 9.89 cents relates to Hathiramjee Mutt and requested not to register the said lands.
>
> Further, the Commissioner and Inspector General in Memo No.G1/12778/03, date: 26.4.2004 and in District Registrar's Memo.G/763/2004, date: 10.5.2004 it was instructed not to register documents pertaining to the lands of Sri Swamy Hathiramjee Mutt, Tirupati as it is an echestical matter like a wakf of properties etc.
>
> This is for your information."

5. The writ petition is filed as if the 1st respondent refused to register the document. When petitioner has not presented any document for registration, there is no cause of action for him to file the writ petition and therefore, the very filing of writ petition is misconceived.

6. Accordingly, the writ petition is dismissed. No costs.

B.SESHASAYANA REDDY, J.

Dated: 17th October, 2005.

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